

FEB 09 2009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Junya Kaku**

Group Art Unit: 2169

Serial No.: 10/542,005

Examiner: Vei-Chung Liang

Filed: July 12, 2005

P.T.O. Confirmation No.: 8929

Docket: 050445

Date: February 7, 2009

For: **DATA STRUCTURE OF MENU DISPLAY  
CONTROL DATA AND MENU DISPLAY DEVICE**

SUPPLEMENTAL BRIEF ON APPEAL

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Sir:

This paper is in response to the Notification of Non-Compliant Appeal Brief mailed on January 9, 2009. Only those sections which were stated to be non-compliant are included.

Section III is amended to state that the claims are appealed; Section VI is amended to remove the statement of § 101 rejection; and Section VII is withdrawn.

In the event that this paper is not timely filed, please consider this paper a petition for an appropriate extension of time. Please charge any fees needed for such an extension of time, and any other fees which may be needed to enter this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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PATENT & TRADEMARK OFFICE

*Serial No. 10/542,005  
Supplemental Brief*

### III. STATUS OF CLAIMS

Claims 1-17 are pending, rejected, and appealed.

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**VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL**

Claims 1-4, 6-15, and 17 are rejected under 35 U.S.C. §102(b) as being anticipated by Yamaguchi et al., US 6,795,097.

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*Supplemental Brief*

**VII. [WITHDRAWN]**